

Stern, Jeff

To: Betsy Day
Subject: RE: Agenda, maps for today's Slip 4 meeting

What about the other data? I am really nervous discussing this without seeing all the data.

-----Original Message-----

From: Betsy Day [mailto:bday@integral-corp.com]
Sent: Thursday, May 20, 2004 6:59 AM
To: Martin Baker; Vicki Fagerness; Laurie Geissinger; Laura Wishik; Gary Pascoe; Jennie Goldberg; Jeff Stern (E-mail)
Subject: Agenda, maps for today's Slip 4 meeting

Hi All -

Attached is the agenda for today's meeting (10:30 - noon at KT 4949) and a set of maps that we will use. I am bringing 11x17 inch map sets for each of you but thought you might want to scan these digitally first. I've also pasted in below this e-mail the Brad Helland e-mail on the T-117 boundary review by Ecology which we will discuss.

Later -

Betsy

Betsy Day

Please note new address effective 3/1/04:
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Helland,

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Subject: clarification of Ecology's comments on T117 boundary
tech memo

Ravi,

After speaking with you earlier regarding the proposed boundaries for the T117 NTCRA and setting boundaries for sediment cleanup in general, I followed up with sedheads and other TCP staff and am sending along my interpretation of the MTCA and SMS requirements. I'm including others to make sure we've all got the same info.

Let me start with what I'm assuming to be understood/agreed by everybody at the table (please advise if I've misstated anything):

1. The Lower Duwamish Waterway has been defined as a site, so we're not concerned with station clusters or screening criteria to define a site boundary. WAC 173-204-510. The site already exists, and we're conducting interim actions (MTCA)/removals (CERCLA)/partial cleanups (SMS) within it.
2. The removal boundary will be determined by a cleanup standard (specific to this action), along with engineering considerations.
3. Everybody wants to minimize the likelihood that post-removal cleanup action is necessary at this location because remobilizing is expensive. It's more efficient to do it all at once, if possible.
4. This work is under a Joint AOC, so MTCA and SMS are requirements, not purely ARARs. In addition, Ecology is providing remedial action grant(s) to public entities to execute this cleanup and has oversight responsibilities.

Here's how I'm thinking about the removal action:

1. The T117 NTCRA is analogous to defining a site unit for a partial cleanup under SMS. WAC 173-204-550(3)(d).
2. The Phase 1 RI and other work at this location served as part of the cleanup study required under SMS, but the cleanup standard needed to define the boundary for this action has not been justified. WAC 173-204-560. Other elements required in a cleanup study will be supplied in the EE/CA and Action Memorandum.
3. The proposed boundary tech memo assumes the use of the PCBs CSL (identified as the primary criterion in section 2.2) for the site unit cleanup standard, but the following requirements of a cleanup study are needed and have not been met. WAC 173-204-560(4).
 - a. A recommended cleanup standard (recommended means a

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proposed rationale we can evaluate, rather than merely an assumption or assertion); and

b. Site unit boundaries defined by where PCBs would meet the cleanup objective (no adverse effects on benthos and no significant human health risk - we are basically forced to use the SQS as a placeholder for this), the minimum cleanup level (CSL), and the recommended cleanup standards. That's probably three different lines on the map, depending on the recommended cleanup standard.

*NOT FOR
INTERIM*

4. The cleanup standard must be as close as practicable to the cleanup objective (the SQS), considering a number of factors. WAC 173-204-570(4). ?

5. Minimizing the likelihood of additional cleanup at this location means setting the cleanup standard as close to the no effects level (SQS) as practicable. } *not really*

6. The EE/CA is where alternative cleanup standards (and the resulting boundaries) should be discussed, including a discussion of disproportionate costs, if appropriate. As I mentioned before, the cost analysis must include reduced long-term monitoring and sampling for the baseline alternative. Removal to the SQS is the baseline cleanup action alternative and must be presented in the EE/CA. WAC 173-340-360(3)(e).

7. If a cleanup standard higher than the SQS is selected based on the assumption that a future cleanup action will address residual contamination, then Ecology will not (and EPA should not) consider costs associated with returning to this area in evaluating feasibility of such future cleanup actions.

Hope this is helpful for your meeting with the Port on Friday. For ease of reference, here are links to the MTCA and SMS citations:

SMS: WAC 173-204

MTCA: WAC 173-340

Feel free to forward this to the Port and/or Windward, and don't hesitate to contact me to discuss these issues.

Regards,
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